



Entered on Docket
December 03, 2008

A handwritten signature of Bruce A. Markell in black ink.

Hon. Bruce A. Markell
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

JOE G HOWARD
KATHERINE M HOWARD

Debtor(s).

) In Bankruptcy
) BKS-08-18330BAM
) Chapter 13
)
) Hearing Date: 11-6-08
) Hearing Time: 3:00 pm

ORDER AVOIDING LIEN OF SECOND TRUST DEED

This matter having come on regularly for hearing on Debtors' Motion to Value Collateral, and "Strip Off" Second Trust Deed as against Debtors' residential real property; good cause appearing therefore,

IT IS HEREBY ORDERED that the security interest of Bank of America in the real property commonly known as 270 Hampton Ridge, Henderson NV 89002 and legally described as:

Amber Ridge at Mission Hills Phase 3, Plat Book 119, Page 4, Lot 62, Block 2
APN 179-31-812-017

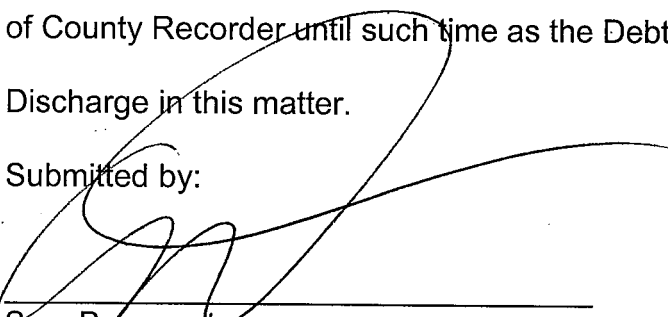
1 is hereby avoided and set aside and that the claim of such creditor(s) in these
2 bankruptcy proceedings shall be treated as unsecured.

3 IT IS FURTHER ORDERED that certain Deed of Trust recorded in the Office of
4 the Clark County Recorder as document number 20070808-0004298 on August 8, 2007
5 is hereby deemed void under 11 U.S.C. Sec 506(d).
6

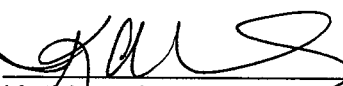
7 IT IS FURTHER ORDERED that the aforesaid Deed of Trust shall, conditioned
8 upon Debtor completing the above referenced bankruptcy proceeding and obtaining a
9 Chapter 13 discharge, be removed and expunged from the county records and shall
10 thereafter no longer constitute a lien or encumbrance upon the aforesaid real property.

11 IT IS FURTHER ORDERED that this Order shall not be recorded with the Office
12 of County Recorder until such time as the Debtor has received his Chapter 13
13 Discharge in this matter.

14 Submitted by:

15 
16 _____
17 Sam Benevento
18 Attorney for Debtor

19 Approved as to form and content

20 
21 _____
22 Kathleen Leavitt
23 Chapter 13 Trustee
24
25
26

27 In accordance with LR 9021, counsel submitting this document certifies as follows:
28

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The court has waived the requirement of approval under LR 9021.

No parties appeared or filed written objections, and there is no trustee appointed in the case.

X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below:

Chapter 13 Trustee

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